

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|--------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 4:10 CR 593 RWS |
| |) | |
| STEVEN FINK, |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter is before the Court on defendant Steven Fink's motion to dismiss [#22].

Pursuant to 28 U.S.C. § 636(b), the motions were referred to United States Magistrate Judge Frederick R. Buckles. Judge Buckles held evidentiary hearings were held on the defendant's motion on January 27, March 8, May 20 and June 7, 2011 and supplemental pleadings were filed by the parties on June 28 and July 1, 2011. Thereafter Judge Buckles filed his Memorandum and Report and Recommendation regarding the defendant's motion on August 16, 2011. No objection to the Magistrate Judge's recommendations were filed.


After fully considering the motion and the Report and Recommendations, the Court will adopt and sustain the thorough reasoning of Judge Buckles set forth in support of his recommended rulings.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#40] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant Steven Fink's motion to dismiss [#22] is denied.

As previously ordered, the jury trial in this matter remains set for **Monday, October 3, 2011 at 9:00 a.m.**



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 9th day of September, 2011.